NORMAN L. SMITH [SBN 106344]
nsmith@swsslaw.com
EDWARD J. MCINTYRE [SBN 80402]
emcintyre@swsslaw.com
ALISON L. PIVONKA [SBN 156977]
apivonka@swsslaw.com
SOLOMON WARD SEIDENWURM & SMITH, LLP
401 B Street, Suite 1200
San Diego, California 92101
Telephone: (619) 231-0303
Facsimile: (619) 231-4755

Attorneys for HANSEN BEVERAGE COMPANY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

HANSEN BEVERAGE COMPANY, a Delaware corporation, Plaintiff, v. INNOVATION VENTURES, LLC dba LIVING ESSENTIALS, a Michigan corporation, Defendant.	CASE NO. 08-CV-1166 IEG (POR) **MOTION TO STRIKE REPLY** Date: August 28, 2008 Time: 2:00 p.m. Hon. Louisa S. Porter

Since this Court's August 22, 2008 Order made no provision for reply, Hansen respectfully requests that Living Essentials' reply and supplemental declaration be stricken.

DATED: August 27, 2008

Respectfully submitted,

SOLOMON WARD SEIDENWURM & SMITH, LLP

By: /s/ Edward J. McIntyre
NORMAN L. SMITH
EDWARD J. MCINTYRE
ALISON L. PIVONKA
Attorneys for Hansen Beverage Company

CERTIFICATE OF SERVICE

I caused the **MOTION TO STRIKE REPLY** to be served in the following manner:

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

Daniel T. Pascucci, Esq. (SBN 166780)
Nathan R. Hamler, Esq. (SBN 227765)
Mintz Levin Cohn Ferris Glovsky and Popeo PC
3580 Carmel Mountain Road, Suite 300
San Diego, CA 92130
Telephone: (858) 314-1510
Facsimile: (858) 314-1501
dpascucci@mintz.com
nhamler@mintz.com
Attorneys for Innovation Ventures LLC dba Living Essentials

Manual Notice List

The following is the list of attorneys who are not on the list to receive e–mail notices for this case (who therefore require manual noticing). I served the following by email and Federal Express

Mark B. Mizrahi, Esq. (SBN 179384) Belasco Jacobs & Townsley, LLP 6100 Center Drive, Suite 630 Los Angeles, CA 90045 Telephone: (310) 743-1188 Facsimile: (310) 743-1189 mmizrahi@bjtlaw.com Attorneys for Innovation Ventures LLC dba Living Essentials	**Of Counsel:** Mark A. Cantor, Esq. Mark Lorelli, Esq. Thomas W. Cunningham, Esq. Brooks Kushman P.C. 1000 Town Center, 22d Floor Southfield, MI 48075 Telephone: (248) 358-4400 Facsimile: (248) 358-3351 mcantor@brookskushman.com mlorelli@brookskushman.com tcunningham@brookskushman.com

/s/ Edward J. McIntyre
EDWARD J. MCINTYRE